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EXAMINER
MILLER, BRANDON J

ART UNIT	PAPER NUMBER
2683	

DATE MAILED: 09/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/945,451	YOLDI ET AL.
	Examiner	**Art Unit**	
	Brandon J Miller	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-29* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-29* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>5</u>.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2, 8, and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Twitchell in view of Kurby.

Regarding claim 1 Twitchell teaches a method for reducing acquisition times in a GPS

receiver associated with a cellular device (see pg. 18, lines 8-14). Twitchell teaches determining

at the GPS receiver occurrence of at least one of the following conditions: ephemeris and timing

data at the GPS receiver (see pg. 13, lines 5-10). Twitchell teaches obtaining data for the GPS

receiver from a reference server responsive to occurrence of one of the conditions (see pg. 12,

lines 11-13 and pg. 13, lines 1-9). Twitchell teaches calculating a current position of the GPS

receiver at a reduced acquisition time using at least the obtained data (see pg. 18, lines 8-14).

Twitchell does not specifically teach determining at startup of the GPS receiver occurrence of at

least one of the following conditions: ephemeris data at the GPS receiver older than a

predetermined period of time and a change in a mobile country code and mobile network code of

the cellular device associated with the GPS receiver. Kurby teaches determining at startup of the

GPS receiver occurrence of at least one of the following conditions: ephemeris data at the GPS

receiver older than a predetermined period of time (see col. 8, lines 62-67 and col. 9, lines 1-2, 5-

7, & 15-19). It would have been obvious to one of ordinary skill in the art at the time the

invention was made to make the device adapt to include determining at startup of the GPS

receiver occurrence of at least one of the following conditions: ephemeris data at the GPS

receiver older than a predetermined period of time and a change in a mobile country code and

mobile network code of the cellular device associated with the GPS receiver because this would

allow for a reduction of time that a mobile unit takes to determine accurate location data.

Regarding claim 2 Twitchell and Kurby teach a device as recited in claim 1 except for

obtaining ephemeris and almanac data from the reference server via the Internet. Twitchell does

teach obtaining ephemeris and timing data from the reference server via the Internet (see pg. 13,

lines 5-8). Kurby does teach obtaining ephemeris and almanac data (see col. 4, lines 40-47). It

would have been obvious to one of ordinary skill in the art at the time the invention was made to

make the device adapt to include obtaining ephemeris and almanac data from the reference

server via the Internet because this would allow for efficient location of the precise position of

remote units.

Regarding claim 8 Kurby teaches determining a current position using the approximate

position of the GPS receiver (see col. 9, lines 21-35).

Regarding claim 11 Kurby teaches a predetermined period of time that corresponds to

approximately two hours (see col. 8, lines 65-67 and col. 9, lines 1-2).

Regarding claim 12 Twitchell and Kurby teach a device as recited in claim 1 except for

obtaining ephemeris and almanac data using a Mobile Internet Protocol. Twitchell does teach

obtaining ephemeris and timing data from the reference server via the Internet (see pg. 12, lines

11-17). Kurby does teach obtaining ephemeris and almanac data (see col. 4, lines 40-47). It

would have been obvious to one of ordinary skill in the art at the time the invention was made to

make the device adapt to include obtaining ephemeris and almanac data using a Mobile Internet

Protocol because this would allow for efficient location of the precise position of remote units.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Twitchell in view

of Kurby and Harris.

Regarding claim 3 Twitchell and Kurby teach a device as recited in claim 1 except for

obtaining ephemeris and almanac data using a WAP protocol. Kurby does teach obtaining

ephemeris and almanac data (see col. 4, lines 40-47). Harris teaches obtaining position data

using a WAP protocol (see abstract and col. 3, lines 26-27). It would have been obvious to one

of ordinary skill in the art at the time the invention was made to make the device adapt to include

obtaining ephemeris and almanac data using a WAP protocol because this would allow for

efficient location of the precise position of remote units.

Claims 4-7, 9-10, 13-15, 17-23, and 25-29 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Twitchell in view of Kurby and Linkola

Regarding claim 4 Twitchell and Kurby teach a device as recited in claim 1 except for

comparing a present mobile country code and mobile network code with a previous mobile

country code and mobile network code to determine if a change has occurred in the mobile

country code and mobile network code of the GPS receiver. Linkola teaches comparing a

present mobile country code and mobile network code with a previously stored mobile country

code and mobile network code to determine if a change has occurred in the mobile country code

and mobile network code of the GPS receiver (see col. 6, lines 41-47. col. 11, lines 51-53 & 58-

67, and col. 12, lines 1-5). It would have been obvious to one of ordinary skill in the art at the

time the invention was made to make the device adapt to include comparing a present mobile

country code and mobile network code with a previous mobile country code and mobile network

code to determine if a change has occurred in the mobile country code and mobile network code

of the GPS receiver because this would allow for an improved method for identification of

mobile station position.

Regarding claim 5 Linkola teaches obtaining an approximate position of the GPS receiver

based upon a present mobile country code and mobile network code associated with the GPS

receiver (see col. 6, lines 41-47 and col. 11, lines 51-53 & 64-67 and col. 12, lines 1-5).

Regarding claim 6 Twitchell teaches approximate position that comprises a longitude and

latitude (see col. 14, lines 14-20).

Regarding claim 7 Linkola teaches comparing the present mobile country code and

mobile network code with entries in a table of mobile country codes and mobile network codes

having position data associated therewith to locate a corresponding mobile country code and

mobile network code; and locating the position data associated with a corresponding mobile

country code and mobile network code as the approximate position of the GPS receiver (see col.

6, lines 41-47. col. 11, lines 51-53 & 58-67, and col. 12, lines 1-5).

Regarding claim 9 Twitchell and Kurby teach a device as recited in claim 1 except for

obtaining a present time associated with the GPS receiver based upon the mobile country code

and the mobile network code associated with the GPS receiver. Kurby does teach obtaining a

present time associated with the GPS receiver (see col. 4, lines 48-53). Linkola teaches

obtaining location data associated with the GPS receiver based upon the mobile country code and

the mobile network code (see col. 11, lines 51-53 & 59-62). It would have been obvious to one

of ordinary skill in the art at the time the invention was made to make the device adapt to include

obtaining a present time associated with the GPS receiver based upon the mobile country code

and the mobile network code associated with the GPS receiver because this would allow for an

improved method for identification of mobile station position.

Regarding claim 10 Twitchell, Kurby and Linkola teach a device as recited in claim 9

except for accessing a table of mobile country codes and mobile network codes having position

data associated therewith; comparing the present mobile country code and mobile network code

with entries in the table to locate a corresponding mobile country code and mobile network code;

determining if the position data has changed by a selected amount between the present mobile

country code and mobile network code and the corresponding mobile network code and mobile

country code; and if the position data has not changed by the selected amount, determining a

time for a previously used time zone. Kurby does teach if the position data has not changed by

the selected amount, determining a previously used location (see col. 9, lines 50-60). Linkola

does teach accessing a table of mobile country codes and mobile network codes having position

data associated therewith; comparing the present mobile country code and mobile network code

with entries in the table to locate a corresponding mobile country code and mobile network code;

determining if the position data has changed between the present mobile country code and

mobile network code and the corresponding mobile network code and mobile country code (see

col. 6, lines 41-47. col. 11, lines 51-53 & 58-67, and col. 12, lines 1-5). It would have been

obvious to one of ordinary skill in the art at the time of the invention to make the device adapt to

include accessing a table of mobile country codes and mobile network codes having position data

associated therewith; comparing the present mobile country code and mobile network code with

entries in the table to locate a corresponding mobile country code and mobile network code;

determining if the position data has changed by a selected amount between the present mobile

country code and mobile network code and the corresponding mobile network code and mobile

country code; and if the position data has not changed by the selected amount, determining a

time for a previously used time zone because this would allow for an improved method for

precise identification of mobile station position.

Regarding claim 13 Twitchell teaches a method for reducing acquisition times in a GPS

receiver associated with a cellular device (see pg. 18, lines 8-14). Twitchell teaches calculating a

current position using the approximate position of the GPS receiver at a reduced acquisition time

using at least the position data (see pg. 18, lines 8-14). Twitchell does not specifically teach

determining at startup of the GPS receiver occurrence of a change in a mobile country code or

mobile network code of the cellular device associated with the GPS receiver, accessing a table of

mobile country codes and mobile network codes having position data associated therewith,

comparing the present mobile country code and mobile network code with entries in the table to

locate a corresponding mobile country code and mobile network code, or selecting the position

data associated with a corresponding mobile country code and mobile network code as an

approximate position of the GPS receiver. Kurby teaches determining at startup of a GPS

receiver occurrence of a change in a location associated with a GPS receiver (see col. 8, lines 62-

67 and col. 9, lines 1-2, 5-7 & 15-19). Linkola teaches determining occurrence of a change in a

mobile country code or mobile network code of the cellular device associated with the GPS

receiver, accessing a table of mobile country codes and mobile network codes, comparing the

present mobile country code and mobile network code with entries in the table to locate a

corresponding mobile country code and mobile network code, locating the position data

associated with a corresponding mobile country code and mobile network code as an
approximate position of the GPS receiver (see col. 6, lines 41-47. col. 11, lines 51-53 & 58-67,
and col. 12, lines 1-5). It would have been obvious to one of ordinary skill in the art at the time
the invention was made to make the device adapt to include determining at startup of the GPS
receiver occurrence of a change in a mobile country code or mobile network code of the cellular
device associated with the GPS receiver, accessing a table of mobile country codes and mobile
network codes having position data associated therewith, comparing the present mobile country
code and mobile network code with entries in the table to locate a corresponding mobile country
code and mobile network code, or selecting the position data associated with a corresponding
mobile country code and mobile network code as an approximate position of the GPS receiver
because this would allow for a reduction of time that a mobile unit takes to determine accurate
identification of location data.

Regarding claim 14 Twitchell and Kurby teach a device as recited in claim 2 and is
rejected given the same reasoning as above.

Regarding claim 15 Twitchell and Kurby teach a device as recited in claim 12 and is
rejected given the same reasoning as above.

Regarding claim 17 Twitchell, Kurby, Linkola teach a device as recited in claim 4 and is
rejected given the same reasoning as above.

Regarding claim 18 Twitchell, Kurby, Linkola teach a device as recited in claim 9 and is
rejected given the same reasoning as above.

Regarding claim 19 Twitchell, Kurby, Linkola teach a device as recited in claim 10 and is
rejected given the same reasoning as above.

Regarding claim 20 Twitchell teaches a wireless communications device and a wireless

transceiver for establishing a connection with the Internet (see pg. 10, lines 6-8 and pg. 12, lines

5-7). Twitchell teaches a GPS receiver for determining a position of the wireless

communications device at a reduced acquisition time using at least the obtained data and the

approximate position (see pg. 18, lines 8-14). Twitchell teaches approximate position that

comprises a longitude and latitude (see col. 14, lines 14-20). Twitchell teaches a controller

configured to: determine at the GPS receiver occurrence of at least one of the following

conditions: ephemeris data and timing data at the GPS receiver (see pg. 10, lines 26-28 and

pg.13, lines 5-10). Twitchell teaches obtaining data for the GPS receiver from a reference server

on the Internet using the wireless transceiver responsive to occurrence of one of the conditions

(see pg. 13, lines 1-8). Twitchell does not specifically teach a table including a plurality of

mobile country code and mobile network code pairs, each pair of mobile country codes and

mobile network codes having longitude and latitude data associated therewith, determining at

startup of the GPS receiver occurrence of at least one of the following conditions: ephemeris data

at the GPS receiver older than a predetermined period of time and a change in a mobile country

code and mobile network code of the wireless communications device, obtaining an approximate

position of the GPS receiver from the table based upon a present mobile country code and mobile

network code associated with the GPS receiver, or determine a current position of the GPS

receiver. Kurby teaches determining at startup of the GPS receiver occurrence of at least one of

the following conditions: ephemeris data at the GPS receiver older than a predetermined period

of (see col. 8, lines 62-67 and col. 9, lines 1-2, 5-7, & 15-19). Linkola teaches a table including a

plurality of mobile country codes and mobile network codes, each mobile country code and

mobile network code having location data associated therewith (see col. 11, lines 62-67).

Linkola teaches a change in a mobile country code and mobile network code of the wireless

communications device, obtaining an approximate position of the GPS receiver from the table

based upon a present mobile country code and mobile network code associated with the GPS

receiver and determine a current location of the GPS receiver at a reduced acquisition time using

at least the obtained data and the approximate position (see col. 6, lines 41-47. col. 11, lines 51-

53 & 58-67, and col. 12, lines 1-5). It would have been obvious to one of ordinary skill in the art

at the time the invention was made to make the device adapt to include a table including a

plurality of mobile country code and mobile network code pairs, each pair of mobile country

codes and mobile network codes having longitude and latitude data associated therewith,

determining at startup of the GPS receiver occurrence of at least one of the following conditions:

ephemeris data at the GPS receiver older than a predetermined period of time and a change in a

mobile country code and mobile network code of the wireless communications device, obtaining

an approximate position of the GPS receiver from the table based upon a present mobile country

code and mobile network code associated with the GPS receiver, or determine a current position

of the GPS receiver because this would allow for an increased reduction of time that a mobile

unit takes to determine accurate identification of location data.

Regarding claim 21 Twitchell and Kurby teach a device as recited in claim 11 and is

rejected given the same reasoning as above.

Regarding claim 22 Twitchell and Kurby teach a device as recited in claim 2 and is

rejected given the same reasoning as above.

Regarding claim 23 Twitchell and Kurby teach a device as recited in claim 12 and is rejected given the same reasoning as above.

Regarding claim 25 Twitchell, Kurby, Linkola teach a device as recited in claim 4 and is rejected given the same reasoning as above.

Regarding claim 26 Twitchell, Kurby, Linkola teach a device as recited in claim 6 and is rejected given the same reasoning as above.

Regarding claim 27 Twitchell, Kurby and Linkola teach a device as recited in claim 20 except for accessing a table of mobile country codes and mobile network codes having position data associated therewith; comparing the present mobile country code and mobile network code with entries in the table to locate a corresponding mobile country code and mobile network code; and selecting the longitude and latitude associated with a corresponding mobile country code and mobile network code as the approximate position of the GPS receiver. Twitchell does teach approximate position that comprises a longitude and latitude (see col. 14, lines 14-20). Linkola does teach accessing a table of mobile country codes and mobile network codes having position data associated therewith; comparing the present mobile country code and mobile network code with entries in the table to locate a corresponding mobile country code and mobile network code; and locating the location associate with the corresponding mobile country code and mobile network code as the approximate position (see col. 6, lines 41-47. col. 11, lines 51-53 & 58-67, and col. 12, lines 1-5). It would have been obvious to one of ordinary skill in the art at the time of the invention to make the device adapt to include accessing a table of mobile country codes and mobile network codes having position data associated therewith; comparing the present mobile country code and mobile network code with entries in the table to locate a corresponding

mobile country code and mobile network code; and selecting the longitude and latitude

associated with a corresponding mobile country code and mobile network code as the

approximate position of the GPS receiver because this would allow for an improved method for

precise identification of mobile station position.

Regarding claim 28 Twitchell, Kurby, Linkola teach a device as recited in claim 9 and is

rejected given the same reasoning as above.

Regarding claim 29 Twitchell, Kurby and Linkola teach a device as recited in claim 9

except for accessing a table of mobile country codes and mobile network codes having position

data associated therewith; comparing the present mobile country code and mobile network code

with entries in the table to locate a corresponding mobile country code and mobile network code;

determining if the position data has changed by a selected amount; if the position data has not

changed by the selected amount, determining a time for a previously used time zone. Kurby

does teach if the position data has not changed by the selected amount, determining a previously

used location (see col. 9, lines 50-60). Linkola does teach accessing a table of mobile country

codes and mobile network codes having position data associated therewith; comparing the

present mobile country code and mobile network code with entries in the table to locate a

corresponding mobile country code and mobile network code; determining if the position data

has changed (see col. 6, lines 41-47. col. 11, lines 51-53 & 58-67, and col. 12, lines 1-5). It

would have been obvious to one of ordinary skill in the art at the time of the invention to make

the device adapt to include accessing a table of mobile country codes and mobile network codes

having position data associated therewith; comparing the present mobile country code and

mobile network code with entries in the table to locate a corresponding mobile country code and

mobile network code; determining if the position data has changed; and if the position data has

not changed by the selected amount, determining a time for a previously used time zone because

this would allow for an improved method for precise identification of mobile station position.

Claims 16 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Twitchell in view of Kurby and Linkola and Harris.

Regarding claim 16 Twitchell, Kurby, and Linkola teach a device as recited in claim 14

except for obtaining ephemeris and almanac data using a WAP protocol. Kurby does teach

obtaining ephemeris and almanac data (see col. 4, lines 40-47). Harris teaches obtaining position

data using a WAP protocol (see abstract and col. 3, lines 26-27). It would have been obvious to

one of ordinary skill in the art at the time the invention was made to make the device adapt to

include obtaining ephemeris and almanac data using a WAP protocol because this would allow

for efficient location of the precise position of remote units.

Regarding claim 24 Twitchell, Kurby, Linkola and Harris teach a device as recited in

claim 16 and is rejected given the same reasoning as above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Bloebaum et al. U.S Patent No. 6,295,023 discloses methods, mobile stations and systems

for acquiring global positioning system timing information.

Siddiqui et al. U.S. Patent No. 6,292,666 discloses a system and method for displaying

country on mobile stations within satellite systems.

Lau U.S. Patent No. 5,883,594 discloses GPS receiver using a message system for reducing power consumption.

King et al. U.S. Patent No. 6,313,787 discloses a method and apparatus for assisted GPS protocol.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J Miller whose telephone number is 703-305-4222. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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September 10, 2004

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